

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

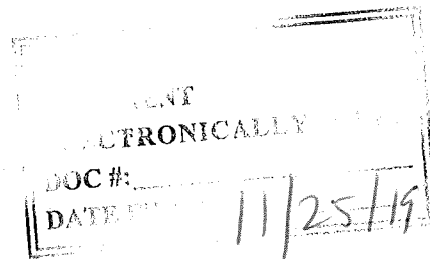
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ROGER LAINEZ,

Plaintiff,

v.

AMY ROYCROFT, ASHLEY HARRIS-  
BAKER, JEANETTE BARRET-WILSON,  
JULIO MARTINEZ, and STEPHANIE  
O'SULLIVAN,

Defendants.  
-----X



**ORDER OF DISMISSAL**

18 CV 6754 (VB)

On October 7, 2019, the Court issued an Opinion and Order granting defendants' motion to dismiss and granting plaintiff leave to file a second amended complaint as to his Eighth Amendment deliberate indifference claim. (Doc. #27).

The Court ordered plaintiff to file his second amended complaint by November 7, 2019. The Court warned plaintiff that if he failed to do so, the Court would deem plaintiff to have abandoned the case and would direct the Clerk to enter judgment in defendants' favor and close the case.

To date, plaintiff has failed to file a second amended complaint or seek an extension of time to do so. As the Court has already dismissed all of plaintiffs' claims, the Court will direct the Clerk to enter judgment in defendants' favor.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purposes of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

The Clerk is directed to enter judgment in defendants' favor and close this case. The Clerk shall also mail a copy of this Order to plaintiff at the address on the docket.

Dated: November 25, 2019  
White Plains, NY

SO ORDERED:

Vincent L. Briccetti  
United States District Judge